

PERMANENT COURT OF ARBITRATION

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COUR PERMANENTE D'ARBITRAGE

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PCA PRESS RELEASE

ARBITRATION BETWEEN THE REPUBLIC OF CROATIA AND THE REPUBLIC OF SLOVENIA

THE HAGUE, 10 July 2015

Arbitral Tribunal Schedules Issuance of Award

In the arbitration between the Republic of Croatia and the Republic of Slovenia, the Arbitral Tribunal has informed the Parties that it contemplates rendering the award in mid-December 2015. According to Article 7(2) of the Arbitration Agreement, the “award of the Arbitral Tribunal shall be binding on the Parties and shall constitute a definitive settlement of the dispute.” Further information regarding the rendering of the award will be made available on the website of the Permanent Court of Arbitration (“PCA”) in due course.

The dispute was submitted to arbitration in accordance with an arbitration agreement between the Republic of Croatia and the Republic of Slovenia dated 4 November 2009. Article 3 (1) of the Arbitration Agreement provides:

“The Arbitral Tribunal shall determine

- (a) the course of the maritime and land boundary between the Republic of Slovenia and the Republic of Croatia;
- (b) Slovenia’s junction to the High Sea;
- (c) the regime for the use of the relevant maritime areas.”

Article 4 provides:

“The Arbitral Tribunal shall apply

- (a) the rules and principles of international law for the determinations referred to in Article 3 (1) (a);
- (b) international law, equity and the principle of good neighbourly relations in order to achieve a fair and just result by taking into account all relevant circumstances for the determinations referred to in Article 3 (1) (b) and (c).”

The Arbitral Tribunal is chaired by Judge Gilbert Guillaume (France), former President of the International Court of Justice. The other members of the Arbitral Tribunal are Professor Vaughan Lowe (United Kingdom), Judge Bruno Simma (Germany), Dr. Jernej Sekolec (Slovenia), and Professor Budislav Vukas (Croatia). The PCA acts as Registry in the arbitration by agreement of the Parties.

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The arbitration has been in progress for three years. The Arbitral Tribunal held a First Procedural Meeting with the Parties on 13 April 2012. The Parties submitted their written Memorials on 11 February 2013, their Counter-Memorials on 11 November 2013, and their Replies on 26 March 2014.

The Parties included with these pleadings nearly 1,500 documentary exhibits and legal authorities, as well as over 250 figures and maps. A two-week hearing was concluded on 13 June 2014, and the Arbitral Tribunal released a summary of the oral pleadings of both Parties on 17 June 2014.*

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* Available on the PCA's website: http://pca-cpa.org/showpage.asp?pag_id=1443.